

Customer Number
24024

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hans Gygax) Examiner: Not yet assigned
)
Application No.: 10/554,309) Confirmation No.: 2653
)
Filed: October 21, 2005) Art Unit: 3644
)
For: LIGHT PLANE IN THE) Attorney Docket No.: 30887/04002
ULTRALIGHT CATEGORY)
AND SPORT PLANE)
CATEGORY)

PETITION TO WITHDRAW EXAMINER'S HOLDING OF ABANDONMENT

Mail Stop Petition
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

On May 28, 2008 the United States Patent and Trademark Office (USPTO) issued a Notice of Abandonment ("The Notice") for the above-referenced application. The Notice indicates Applicant failed to timely file a proper reply to the Office Action mailed July 25, 2006 ("the Office Action").

In fact, on August 22, 2006 Applicant did file a response to the Office Action via U.S. First Class mail. In that regard, a copy of the response filed August 22, 2006, including an executed declaration, and a copy of the canceled check, No. 097316, in the amount of \$65.00, which covered the small entity surcharge for submission of the declaration is attached. A copy of Applicant's Return Receipt Postcard with the USPTO's dated stamp showing receipt of Applicant's response, the declaration, and the check on

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this PETITION TO WITHDRAW EXAMINER'S HOLDING OF ABANDONMENT for US Appl. No. 10/554,309, (Attorney Docket No. 30887/04002), is being transmitted electronically to the United States Patent and Trademark Office (USPTO) via the USPTO's Electronic Filing Service (EFS-Web) on June 24, 2008.

Marianne Crimaldi

Marianne Crimaldi {00327389.DOC;1}

Petition Dated June 24, 2008
Reply to Office Action of May 28, 2008

US Application No. 10/554,309

August 28, 2006 is also attached. Applicant believes that the evidence discussed above and enclosed herewith is sufficient to establish a timely response to the Office Action and, therefore, requests withdrawal of the holding of abandonment for this application.

It is believed that no fee is due for entering this petition. However, should the Commissioner determine that any fee or fee deficiency is due, the Commissioner is hereby authorized to charge any and all such fees, and/or credit any overpayments, incurred as a result of entering this petition to Deposit Account No. 03-0172.

Respectfully submitted,

CALFEE, HALTER & GRISWOLD LLP

Date:

June 24, 2008

Brian E. Kondas

Brian E. Kondas
Reg. No. 40,685
Customer No. 24024
(216) 622-8308



CALFEE, HALTER & GRISWOLD
1400 McDonald Investment Center
800 Superior Avenue
Cleveland, OH 44114-2688

DATE

08-21-06

CHECK NO

097316

NATIONAL CITY BANK
CLEVELAND, OHIO
6-17-410
BRANCH 54

CHECK AMOUNT

\$65.00

PAY: SIXTY-FIVE AND 00/100 Dollar

TO THE
ORDER
OF
COMMISSIONER FOR PATENTS

NOT VALID FOR OVER \$1,000.00

Cathy Henderson

PATENT AND TRADEMARK OFFICE
YOUR ENDORSEMENT BY SIGNATURE ABOVE AREA ONLY
DO NOT SIGN, WRITE OR STAMP ON THIS LINE
FOR DEPOSITORY USE ONLY
U.S. TREASURY

041000124
NATIONAL CITY BK090
09/01/06

1400981097

1
SUSPENDED COLLECTING BANK USE ONLY

10312007304
1400981097 1400
1400981097 1400
0911501905

Deposited with the United States Postal Service with sufficient postage via U.S. First Class mail in
an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,
this 27th day of August, 2006.

Re: U.S. Patent Application of Light Wing AG
Inventor: Hans Gygax
Serial No.: 10/554,309
Filed: October 21, 2005
For: LIGHT PLANE IN THE ULTRALIGHT CATEGORY AND SPORT PLANE
CATEGORY
Docket No. 30887/04002

Please acknowledge receipt of the following:

- Response to Notification to File Missing Requirements - 2 pgs.
- Copy of Notification to File Missing Requirements - 2 pgs.
- Declaration and Power of Attorney- 2 pgs.
- Check \$65
- Return receipt postcard



{K-B7142.DOC;1}